

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Mueller et al.	Confirmation No.:	3548
Serial No.:	10/822,600	Art Unit:	3737
Filed:	April 12, 2004	Examiner:	Smith, Ruth S.
For:	METHOD AND DEVICES FOR HEART TREATMENT	Attorney Docket No.:	10177-247-999

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, James R. Chiapetta, represents that he holds the position of Senior Patent Counsel of Boston Scientific Scimed, Inc., the assignee of the entire 100 % right, title, and interest in and to the above-identified application by virtue of an assignment which was recorded on December 11, 2002 at reel 013573, frame 0562 and name change which was recorded on November 6, 2006 at reel 018505 frame 0868 for U.S. Application Serial No. 09/706,584 filed November 3, 2000, now U.S. Patent No. 6,748,258. The above-identified patent application is a continuation of U.S. Application Serial No. 09/706,584.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,748,258, which issued on June 8, 2004, as the term of this patent is defined in 35 U.S.C. §§ 154 and 173. Petitioner also agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,748,258.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,748,258 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Boston Scientific Scimed, Inc.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 5th day of February, 2008.

Boston Scientific Scimed, Inc.

By: 

Name: James R. Chiapetta

Position: Senior Patent Counsel